

SPERO T. LAPPAS, Esquire

Pa. Supreme Court ID No. 25745

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ATTORNEY FOR APPELLEES DAVID GRAYBILL AND MICHAEL SWEGER

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

BEVERLY BEAM,

v.

**SCOTT DOWNEY, ROGER
MORRISON, DAVID GRAYBILL,
AND MICHAEL SWEGER**

**:
: 1:CV-01-0083
:
: JUDGE MCCLURE
:
:
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**DEFENDANT GRAYBILL'S AND DEFENDANT SWEGER'S
MOTION FOR SANCTIONS AND A FINDING OF CONTEMPT**

1. On July 29, 2004 this court ordered Plaintiff Beverly Beam to pay to Defendant Graybill and Sweger the amounts of \$12,532.50 and \$56.03 as attorneys fees and non-taxable expenses.

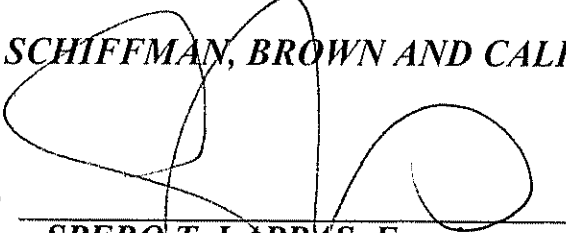
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2. That same Order directed that these amounts were to be paid within thirty days of July 29, 2004; i.e. by August 28, 2004.
3. Since that time, the Plaintiff has filed an appeal from this court's order.
4. However, the Plaintiff neither sought nor obtained a supersedeas of that order, nor has the Plaintiff filed a bond for this appeal.
5. Accordingly, these defendants request that the court Order that Plaintiff and Attorney Bailey appear before the court for a hearing and thereafter find that the Plaintiff is in contempt of the order of July 29, 2004.

RESPECTFULLY SUBMITTED,

SERRATELLI, SCHIFFMAN, BROWN AND CALHOON, P.C.

By:


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CERTIFICATE OF CONCURRENCE/NON-CONCURRENCE

I hereby certify that on December 17, 2004 I contacted or attempted to contact opposing counsel DON BAILEY, Esquire and sought concurrence in the attached motion.

☐ Concurrence was granted.

☐ Concurrence was not granted.

☒ Concurrence or non-concurrence could not be obtained because opposing counsel was unavailable. Opposing counsel is requested to call the undersigned upon receipt of this motion to advise of his/her position regarding concurrence or non-concurrence in the attached motion. IT IS ASSUMED THAT ATTORNEY BAILEY WILL NOT CONCUR IN THIS MOTION.

RESPECTFULLY SUBMITTED,

By: 